## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF NEW MEXICO

THE HARTFORD FIRE INSURANCE COMPANY,

**Plaintiff** 

VS.

No. CIV 10-0137 JB/RHS

GANDY DANCER, LLC; BNSF RAILWAY COMPANY; and ROY D. MERCER, LLC,

Defendants,

and

BNSF RAILWAY COMPANY;

Counter-Plaintiff

VS.

THE HARTFORD FIRE INSURANCE COMPANY,

Counter-Defendant.

## **FINAL JUDGMENT**

THIS MATTER comes before the Court on: (i) its Stipulated Order Dismissing Defendant Gandy Dancer, LLC With Prejudice, filed July 5, 2013 (Doc. 113)("First Stipulated Order"); and (ii) its Stipulated Order Dismissing the Complaint and Counterclaim With Prejudice, filed February 28, 2014 (Doc. 134)("Second Stipulated Order"). In its First Stipulated Order, the Court dismissed Plaintiff/Counter-Defendant The Hartford Fire Insurance Company's claims against Gandy Dancer with prejudice. See First Stipulated Order at 1. In its Second Stipulated Order, the Court dismissed all claims by all parties with prejudice. See Second

Stipulated Order at 1-2. Because the Court's First Stipulated Order and its Second Stipulated Order dispose of all claims and all parties with prejudice, entry of final judgment is appropriate.

IT IS ORDERED that: (i) all claims against all parties are dismissed with prejudice; and

(ii) final judgment is entered.

UNITED STATES DISTRICT JUDGE

Counsel:

Todd A. Schwarz Tom Bunting Miller Stratvert, P.A. Albuquerque, New Mexico

Attorneys for the Plaintiff and Counter-Defendant The Hartford Fire Insurance Company

Robert P. Warburton Stelzner, Winter, Warburton, Flores, Sanchez & Dawes, P.A. Albuquerque, New Mexico

Attorneys for Defendant Gandy Dancer LLC

Tim L. Fields
Earl E. DeBrine, Jr.
Paul T. Halajian
Nathan T. Nieman
Modrall, Sperling, Roehl, Harris & Sisk, P.A.
Albuquerque, New Mexico

Attorneys for Defendant BNSF Railway Company

Charles T. DuMars Tanya L. Scott Law & Resource Planning Associates Albuquerque, New Mexico

Attorneys for Defendant Roy D. Mercer, LLC